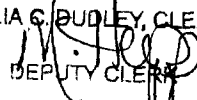


NOV - 9 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JULIA C. BUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Action No. 4:01-cr-70056-4
)	
v.)	<u>§ 2255 ORDER</u>
)	
SHERMAN J. FOYE,)	By: Hon. Jackson L. Kiser
Petitioner.)	Senior United States District Judge

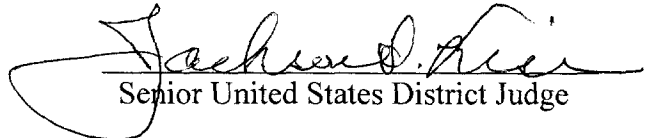
In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**, pursuant to Rule 4 of the Rules Governing § 2255 Proceedings; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to petitioner and counsel of record for the United States.

ENTER: This 9th day of November, 2012.


Senior United States District Judge